

MESSAGE NO: 9124202 MESSAGE DATE: 05/04/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-475-703

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/31/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION ORDERS ACCORDING TO ANTIDUMPING SCOPE RULING ON
GRANULAR POLYTETRAFLUOROETHYLENE RESIN FROM ITALY FOR SOLVAY'S
POLYMIST FEEDSTOCK (A-475-703)

MESSAGE NO: 9124202

DATE: 05 04 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 475 - 703

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PERIOD COVERED: 07 31 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION ORDERS ACCORDING TO ANTIDUMPING SCOPE
RULING ON GRANULAR POLYTETRAFLUOROETHYLENE RESIN FROM
ITALY FOR SOLVAY'S POLYMIST FEEDSTOCK (A-475-703)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM E.I. DUPONT DE
NEMOURS & COMPANY TO DETERMINE WHETHER IMPORTS OF POLYMIST
FEEDSTOCK BY SOLVAY SOLEXIS S.P.A. AND SOLVAY SOLEXIS, INC.,
(COLLECTIVELY, SOLVAY) ARE WITHIN THE SCOPE OF THE ANTIDUMPING
DUTY ORDER ON GRANULAR POLYTETRAFLUOROETHYLENE RESIN FROM
ITALY.

PRIOR TO THE SCOPE REQUEST, POLYMIST FEEDSTOCK WAS NOT

CONSIDERED TO BE WITHIN THE SCOPE OF THE ANTIDUMPING ORDER ON GRANULAR POLYTETRAFLUOROETHYLENE RESIN FROM ITALY. COMMERCE ISSUED A FINAL SCOPE RULING ON JULY 31, 2008, THAT SOLVAY'S POLYMIST FEEDSTOCK IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING GRANULAR POLYTETRAFLUOROETHYLENE RESIN FROM ITALY (A-475-703).

2. COMMERCE DETERMINED THAT THE PHYSICAL CHARACTERISTICS OF SOLVAY'S POLYMIST FEEDSTOCK DISTINGUISH IT FROM WET RAW POLYMER (OR THE DRIED FORM OF THAT POLYMER USED TO PRODUCE RESINS) AND THAT THE EXPECTATIONS OF THE ULTIMATE PURCHASERS AND THE ULTIMATE USE OF SOLVAY'S POLYMIST FEEDSTOCK DIFFER FROM THOSE OF WET RAW POLYMER (OR THE DRIED FORM OF THAT POLYMER USED TO PRODUCE RESINS) AND GRANULAR POLYTETRAFLUOROETHYLENE RESIN.

THEREFORE, SOLVAY'S POLYMIST FEEDSTOCK IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING GRANULAR POLYTETRAFLUOROETHYLENE RESIN FROM ITALY (A-475-703).

3. IT IS COMMERCE'S UNDERSTANDING THAT THERE SHOULD BE NO TYPE 3 (CONSUMPTION -ANTIDUMPING/COUNTERVAILING DUTY) ENTRIES OF SOLVAY'S POLYMIST FEEDSTOCK SUSPENDED FROM LIQUIDATION. HOWEVER, IF THERE ARE SUSPENDED TYPE 3 ENTRIES OF SOLVAY'S POLYMIST FEEDSTOCK, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO SOLVAY'S POLYMIST FEEDSTOCK LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF TYPE 3 ENTRIES OF SOLVAY'S POLYMIST FEEDSTOCK.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON

UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION.

THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF GRANULAR POLYTETRAFLUOROETHYLENE FROM ITALY NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:NMD).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party